

**ORDINANCE NO. 20080807-076**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3902 AND 3904 WADFORD STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district on the property described in Zoning Case No C14-2008-0072, on file at the Neighborhood Planning and Zoning Department, as follows

Two tracts of land, each being a 0.171 acre tract of land, more or less, being portions of Lot 7, Fortview Subdivision, in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3902 and 3904 Wadford Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

**PART 2.** Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code

**PART 3.** The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows

- A. The Property is exempt from the dimensional standards identified in Article 4 3.3 E 2 (*Dimensional and Parking Requirements*).

- B The Property is subject to the parking reductions identified in Article 4.3.3 E 3  
(*Dimensional and Parking Requirements*)
- C Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income

**PART 4.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 500 trips per day
- B The following uses are prohibited uses of the Property.

Automotive repair services  
Automotive sales  
Pawn shop services  
Vehicle storage

Automotive rentals  
Automotive washing (of any type)  
Commercial blood plasma center

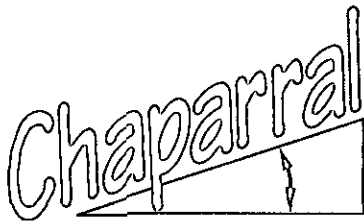
**PART 5.** The Property is subject to Ordinance No 011206-10 that established the Dawson neighborhood plan combining district

**PART 6.** This ordinance takes effect on August 18, 2008

**PASSED AND APPROVED**

\_\_\_\_\_, August 7, 2008      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith      Shirley A Gentry  
City Attorney      City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

EXHIBIT A

Office 512-443-1724

Fax 512-389-0943

3500 McCall Lane

Austin, Texas 78744

**KCGR 670 I, LP (2008024912)**

**0.171 ACRE ZONING DESCRIPTION**

A DESCRIPTION OF 0 171 ACRES (APPROXIMATELY 7,449 S F ) OUT OF LOT 7 OF FORTVIEW, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 606, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO KCGR 670 I, LP, BY WARRANTY DEED DATED FEBRUARY 28, 2006, RECORDED IN DOCUMENT NO 2008024912, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0 171 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

**BEGINNING** at a 3/8" rebar found for the northeast corner of the 0 171 acre tract, being also the southeast line of a 0 171 acre tract, recorded in Document No 2006040109, of the Official Public Records of Travis County, Texas and in the west right-of-way line of Wadford Street (right-of-way width varies), from which a 1" bolt found bears North 21°53'00" East, a distance of 49 91 feet,


**THENCE** South 21°53'00" West, with the west line of Wadford Street and the east line of the 0 171 acre tract, a distance of 50 00 feet to a 1/2" rebar with cap set for the southeast corner of the 0 171 acre tract, being also the northeast corner of the remainder of a 0 233 acre tract, recorded in Volume 6167, Page 1092, of the Deed Records of Travis County, Texas, from which a Texas Department of Transportation (TxDOT) type II disk found bears South 21°53'00" West, a distance of 80 34 feet,

**THENCE** North 62°39'03" West, with the common line of the 0 171 acre tract and the 0 379 acre tract, a distance of 149 75 feet to a 1/2" rebar with cap set for the southwest corner of the 0 171 acre tract, being also the northwest corner of the 0 379 acre tract, and in the east line of the remainder tract conveyed to James H Lacey, recorded in Document No 2000015541, of the Official Public Records of Travis County, Texas, from which an "X" cut in concrete found bears South 22°06'19" West, a distance of 55 87 feet,

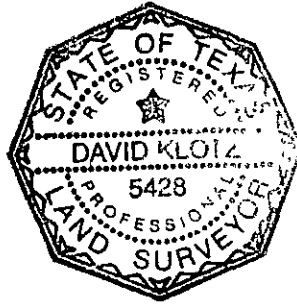
**THENCE** North 22°06'19" East, with the common line of the 0 171 acre tract and the 0 287 acre tract, a distance of 49 98 feet to a 1/2" rebar found for the northwest corner of the 0 171 acre tract (2008024912) being also the southwest corner of a 0 171 acre tract recorded in Document No 2006040109, of the Official Public Records of Travis County, Texas,

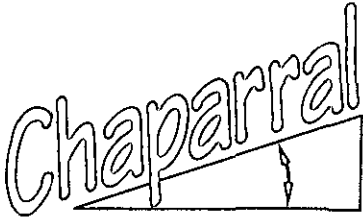
**THENCE** South 62°39'03" East, with the common line of the 0.171 acre tract and the 0.171 acre tract, a distance of 149.56 feet to the **POINT OF BEGINNING**, containing 0.171 acres of land, more or less

Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None

 7/31/08

David Klotz  
Registered Professional Land Surveyor  
State of Texas No 5428





**Professional Land Surveying, Inc.  
Surveying and Mapping**

*EXHIBIT A*

Office 512-443-1724  
Fax 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

**KCGR 670 I, LP (2006040109)  
0.171 ACRE ZONING DESCRIPTION**

A DESCRIPTION OF 0.171 ACRES (APPROXIMATELY 7,434 S F ) IN THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, BEING OUT OF LOT 7 OF FORTVIEW, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 606, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT 0.171 ACRE TRACT CONVEYED TO KCGR 670 I, LP BY WARRANTY DEED, DATED FEBRUARY 28, 2006, RECORDED IN DOCUMENT NO. 2006040109, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.171 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

**BEGINNING** at a 1" bolt found for the northeast corner of the 0.171 acre tract, being also the southeast corner of a 150' x 52.5' tract of land described in Volume 1891, Page 181 of the Deed Records of Travis County, Texas and in the west right-of-way line of Wadford Street (right-of-way width varies), from which a 1" bolt found, bears North 21°27'53" East, a distance of 42.94 feet,


**THENCE** South 21°53'00" West with the west right-of-way line of Wadford Street and the east line of the 0.171 acre tract, a distance of 49.91 feet to a 3/8" rebar found for the southeast corner of the 0.171 acre tract, being also the northeast corner of a 0.171 acre tract of land recorded in Document No. 2008024912 of the Official Public Records of Travis County, Texas,

**THENCE** North 62°39'03" West with the common lines of the 0.171 acre tracts, a distance of 149.56 feet to a 3/8" rebar found for the common corner of the 0.171 acre tracts, being also in the east line of the remainder tract conveyed to James H. Lacey, recorded in Document No. 2000015541, of the Official Public Records of Travis County, Texas,

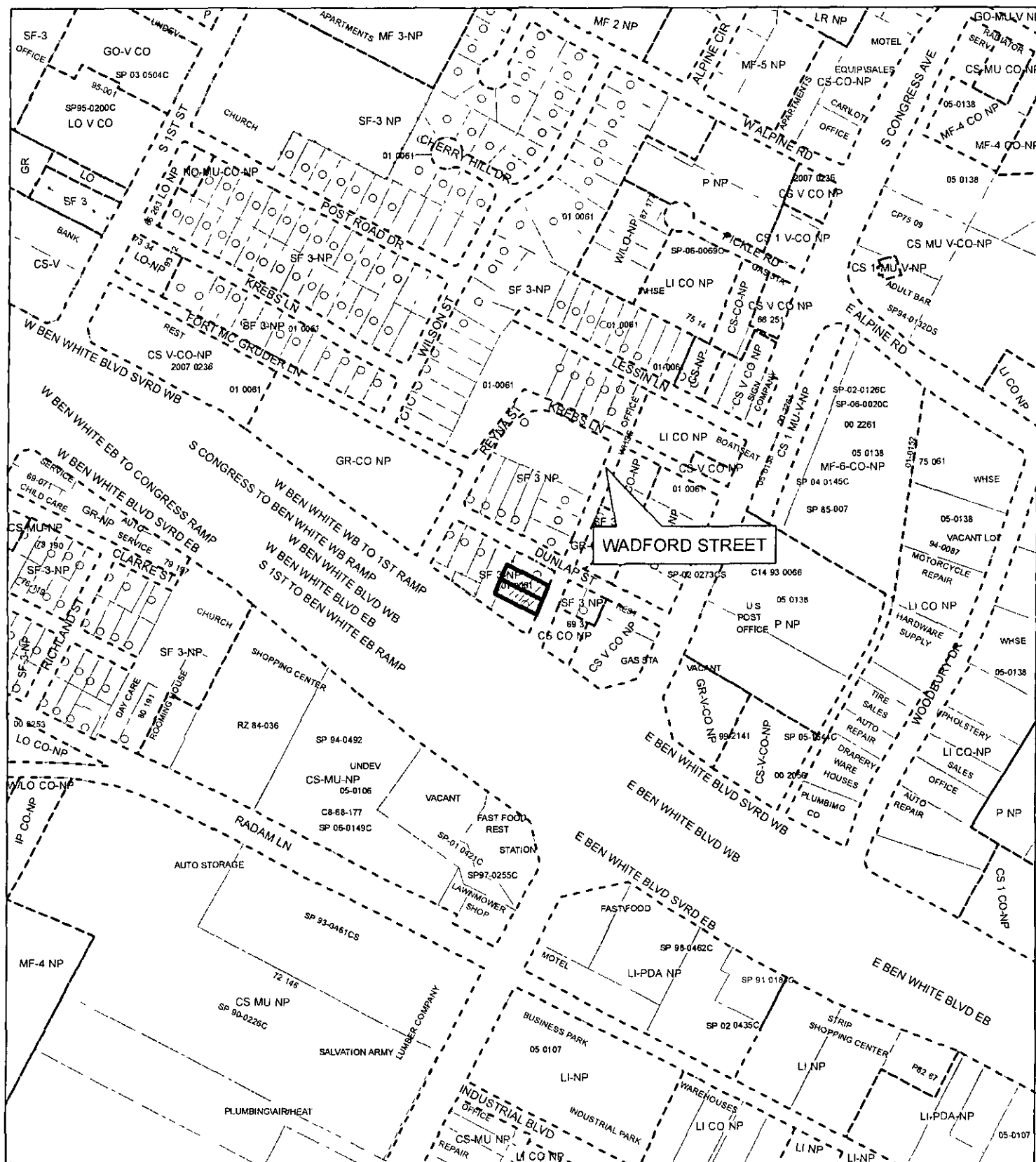
**THENCE** North 22°06'19" East with the common line of the 0.171 acre tract and the James H. Lacey tract, a distance of 50.00 feet to a 1/2" rebar with cap set for the northwest corner of the 0.171 acre tract, being also the southwest corner of the 150' x 52.5' tract,

**THENCE** South 62°36'35" East with the common line of the 0.171 acre tract, and the 150' x 50' tract, a distance of 149.37 feet to the **POINT OF BEGINNING**, containing 0.171 acres of land, more or less

Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None

 3/12/08  
David Klotz  
Registered Professional Land Surveyor  
State of Texas No 5428





### ZONING EXHIBIT B



- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

OPERATOR S MEEKS

ZONING CASE# C14-2008-0072  
 ADDRESS 3902 & 3904 WADFORD ST  
 SUBJECT AREA 0.342 ACRES  
 GRID H18  
 MANAGER R LEVINSKI



1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference.  
 No warranty is made by the City of Austin regarding specific accuracy or completeness.